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INTELLECTUAL PROPERTY LAW

1001 G STREET, N.W.  
WASHINGTON, D.C. 20001-4597

TEL: 202.508.9100  
FAX: 202.508.9299  
www.bannerwitcoff.com

## FAX SHEET

<b>TO:</b>	Examiner Minh-Tam Davis	<b>FROM:</b>	Joe Skerpon
<b>FAX:</b>	(703) 746-7145	<b>PAGES:</b>	8
<b>RE:</b>	S.N. 09/387,340 Searle MON-102.0; 3119-C (061765.00367)	<b>DATE:</b>	January 31, 2002

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

<b>NAME:</b>	Joe Skerpon	<b>PHONE:</b>	202 508 9112
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### COMMENTS:

Dear Examiner Davis: Enclosed for your review is a courtesy copy of the Preliminary Amendment, filed on 18 January 2002. You indicated that you did receive the Supplemental IDS, which was hand-carried to you. Once you have an opportunity to review this amendment you will call me (202-508-9112) to arrange for an interview to discuss the pending claims in light of the prior art. If I have not heard from you by the middle of next week, I will call to see what can be scheduled. Thank you very much.

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☒ PATENT ☐ DESIGN B&W Ref. 61765.00367 Date 1-18-02

☒ HAND CARRY Group/Section Bldg Rm

Serial/Patent No. 09/387,340 Atty/Sec JMS/BA6

Inventor Needleman et al Client Pharmacia

Title An Immunological Process and Constructs For Increasing the LDL Cholesterol Concentration

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ total pp Spec., including: # of Claims ☐ Sequence Listing: ☐ Diskette ☐ Paper

(# of independent claims): ☐ Abstract ☐ Amendment ☐ Response: OA did

☐ Drawings: ☐ Formal ☐ Informal ☐ Petition for Extension of Time until

# of distinct sheets: Figs. ☐ CPA ☐ RCE ☐ w/Ext of Time: OA did

☐ Declaration/Power of Attorney: ☐ Executed ☐ Unexecuted ☐ Request for Approval of Drawing Changes

☐ Assignment w/PTO Cover Sheet ☐ Notice of Appeal & Fee

☐ IDS w/PTO 1449 ☐ References ☐ w/Fee ☐ Brief: ☐ Appeal & Fee ☐ Reply

☒ Preliminary Amendment ☐ Request for Oral Hearing

☒ Priority Claim (Foreign or U.S. Provisional, B&W # 13) ☐ Issue Fee ☐ Advance Patent Copies (# ordered)

Country Appl. # Date Notice of Allowance did

☐ w/Foreign Priority Document(s) ☐ Amendment under 37 CFR 1.312

☐ Application: ☐ CIP ☐ Continuation ☐ Divisional ☐ Request for Certificate of Correction

Parent Ser. No. B&W# ☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.

☐ U.S. Provisional pp Spec/Claims; Cover Sheet ☐ Certificate of Mailing

☐ Response to Missing Parts/Requirements did ☐ Check #

☐ Response to Notice to File Corrected Appn. Papers did

☐ Request for Expedited Foreign Filing License

☐ Request for Corrected: ☐ Filing Receipt ☐ Assignment

☐ Response to Restriction/Election Requirement

21-5-Hd-81-1-18-02  
RECEIVED  
60022000-12900

BAW Rev 5/01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of	)	
NEEDLEMAN et al.	)	Group Art Unit 1642
Serial No. 09/387,340	)	Examiner: Minh-Tam Davis
Filed: August 31, 1999	)	
Continued Prosecution Application	)	Atty. Docket: MON-102.0-C
Filed: January 4, 2002	)	(3119-C)(061765.00367)

For: **AN IMMUNOLOGICAL PROCESS AND CONSTRUCTS FOR  
INCREASING THE HDL CHOLESTROL CONCENTRATION**

PRELIMINARY AMENDMENT

The Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

This paper is submitted in furtherance of the interview conducted with Examiner Davis on January 9, 2002. At that interview the 35 U.S.C. 112 support for a new claim was discussed and agreement was tentatively reached on that issue. This Preliminary Amendment now introduces that claim for examination, as well as several dependent claims, to replace the claims previously pending. Applicants do not believe any fee is required to enter the amendment. If a fee is due, applicants hereby authorize the charging of Deposit Account No. 19-0733 for any such fee(s).

IN THE CLAIMS

Please cancel claims all pending claims, believed to be claims 11, 12, 14 and 15, and add new claims 44-47 as follows:

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12/D  
K  
3-502  
Official  
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02/04/02